THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.7144 OF 2007

DATED 09.04.2007

BETWEEN

Mahatma Gandhi Jyothirao Poole Bahujana Seva Sangam,
Chittoor District Branch rep.by its President R.Jayaramaiah.

… Petitioner

AND

The District Collector, Chittoor District and others.

… Respondents

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.7144 OF 2007

ORDER:

Mahatma Gandhi Jyothirao Poole Bahujana Seva Sangam, Chittoor District, filed the instant writ petition seeking a writ of Mandamus

declaring the action of the respondents in evicting the members of the petitioner Society from the residential huts in the land comprised in survey No.119 situated at Ramanujapathi Village, Thirupati Rural Mandal as illegal and arbitrary and for a consequential direction not to evict them.

It is the case of the petitioner that the land in survey No.119 admeasuring Acs.20.00 is a Government vacant land. Some of the members of the Society allegedly occupied the land and erected huts and they are in possession of the land for over six years. The petitioner also requested the first respondent to allot land to eligible occupants in vain. While the matter is pending, it is alleged that on 21.03.2007 pm at about 4.00 p.m., officials of the respondents came to the premises and directed the members of the petitioner Society to vacate the premises in twenty-four hours. Aggrieved by the same, present writ petition is filed.

After hearing the learned counsel for the petitioner and learned Assistant Government Pleader for Revenue (Andhra), this Court is convinced that the writ petition is not maintainable. The members who are allegedly in occupation of the land in survey No.119 have not filed the writ petition. The details of these members are not even found in the affidavit accompanying the writ petition. Very vague allegations are made in the affidavit saying that some members occupied the land. If really some of the members are facing threat of dispossession from the land in their possession, it is always open to them to file the writ petition. The writ petition filed by the Society cannot be entertained. Liberty is reserved to the members to file separate writ petition for redressal.

The writ petition, with the above observations, is dismissed. No costs.

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(V.V.S.RAO,J)

09.04.2007.
pln